



March 10, 2015

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## ENGROSSED SENATE BILL No. 434

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DIGEST OF SB 434 (Updated March 10, 2015 9:35 am - DI 116)

**Citations Affected:** IC 21-13; IC 21-14; IC 21-16.

**Synopsis:** Financial aid and tuition. Provides that a person who: (1) is a nonresident; (2) is a member of the Indiana National Guard; and (3) attends a state educational institution; is eligible to pay the resident tuition rate for undergraduate and graduate courses. Provides that certain: (1) veterans; and (2) persons who serve on active military duty; are eligible to pay the resident tuition rate for graduate courses. Provides that the commission for higher education: (1) may consider only the residency status of a student; and (2) may not consider the residency status of the student's parents or legal guardian even if the student is considered a dependent for purposes of federal or state financial aid; for purposes of eligibility for the National Guard tuition supplement program and the National Guard scholarship extension program. Amends the definition of "eligible student" for purposes of the employment aid readiness network (EARN) Indiana program.

**Effective:** July 1, 2015.

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**Hershman, Charbonneau,  
Miller Patricia, Arnold J, Randolph**  
(HOUSE SPONSORS — BAIRD, MACER)

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January 12, 2015, read first time and referred to Committee on Veterans Affairs & The Military.

February 5, 2015, reported favorably — Do Pass; reassigned to Committee on Appropriations.

February 12, 2015, amended, reported favorably — Do Pass.

February 16, 2015, read second time, ordered engrossed. Engrossed.

February 17, 2015, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 3, 2015, read first time and referred to Committee on Education.

March 10, 2015, reported — Do Pass.

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ES 434—LS 7357/DI 110





March 10, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## ENGROSSED

### SENATE BILL No. 434

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A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 21-13-1-8, AS ADDED BY P.L.2-2007, SECTION  
2       254, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
3       1, 2015]: Sec. 8. "Scholarship applicant", for purposes of IC 21-13-4,  
4       means a person who:

5       (1) is an eligible student;

6       (2) is a resident of Indiana, **as determined by the commission**  
7       **under IC 21-13-4-1.5;**

8       (3) has been accepted to attend a state educational institution as  
9       a full-time or part-time student;

10       (4) has been certified to have met all National Guard  
11       requirements; and

12       (5) according to commission requirements, has timely filed an  
13       application for any federal and state financial assistance available  
14       to the person to attend a state educational institution.

15       SECTION 2. IC 21-13-1-9, AS ADDED BY P.L.144-2007,  
16       SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2015]: Sec. 9. "Scholarship extension applicant", for purposes of IC 21-13-5, means a person who:

- (1) is a former member of the Indiana National Guard who was called to active duty at least one (1) time while a member of the Indiana National Guard;
- (2) was a scholarship applicant when the person was called to active duty;
- (3) is a resident of Indiana, **as determined by the commission under IC 21-13-4-1.5;**
- (4) has been accepted to attend a state educational institution as a full-time or part-time student; and
- (5) according to commission requirements, has timely filed an application for any federal and state financial assistance available to the person to attend a state educational institution.

SECTION 3. IC 21-13-4-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. In determining whether an eligible student is a resident of Indiana, the commission:**

- (1) may consider only the residency status of the student; and**
- (2) may not consider the residency status of the student's parents or legal guardian even if the student is considered a dependent for purposes of federal or state financial aid.**

SECTION 4. IC 21-14-9-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. As used in this chapter, "qualified course" includes a course prescribed by a state educational institution to obtain a graduate degree.**

SECTION 5. IC 21-14-9-1, AS ADDED BY P.L.144-2007, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1. Notwithstanding any other statute, a person who:**

- (1) is a nonresident of Indiana;
- (2) serves on active duty;
- (3) is stationed in Indiana; and
- (4) attends a state educational institution;

is eligible to pay the resident tuition rate determined by the state educational institution for **qualified** courses taken by the person while the person continues to satisfy the criteria set forth in subdivisions (2) and (3).

SECTION 6. IC 21-14-9-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 3. Notwithstanding any other statute, a person who:**



1           **(1) is a nonresident of Indiana;**  
 2           **(2) is currently serving in the Indiana National Guard; and**  
 3           **(3) attends a state educational institution;**  
 4           **is eligible to pay the resident tuition rate determined by the state**  
 5           **educational institution for qualified courses taken by a person**  
 6           **while the person continues to satisfy criteria set forth in**  
 7           **subdivision (2).**

8           SECTION 7. IC 21-14-12.2-1, AS ADDED BY P.L.137-2013,  
 9           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10          JULY 1, 2015]: Sec. 1. As used in this chapter, "qualified course"  
 11          means a course prescribed by a state educational institution to obtain  
 12          an undergraduate degree **or graduate degree.**

13          SECTION 8. IC 21-14-12.2-2, AS ADDED BY P.L.137-2013,  
 14          SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15          JULY 1, 2015]: Sec. 2. As used in this chapter, "qualified veteran"  
 16          means an individual

17           (†) who:

18           ~~(A)~~ **(1)** served in the armed forces of the United States or the  
 19           Indiana National Guard; and

20           ~~(B)~~ **(2)** received an honorable discharge. ~~or~~

21           ~~(2) who currently is serving in the Indiana National Guard.~~

22          SECTION 9. IC 21-14-12.2-6 IS REPEALED [EFFECTIVE JULY  
 23          1, 2015]. Sec. 6: ~~A qualified veteran who enrolls in a graduate degree~~  
 24          ~~program at a state educational institution is subject to the tuition~~  
 25          ~~policies determined by the state educational institution.~~

26          SECTION 10. IC 21-16-1-8, AS AMENDED BY P.L.272-2013,  
 27          SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28          JULY 1, 2015]: Sec. 8. "Eligible student" means a student who:

29           ~~(†) has been offered a financial aid award from the commission~~  
 30           ~~under IC 21-12-3, IC 21-12-4, or IC 21-12-6 for the current~~  
 31           ~~academic year; and~~

32           ~~(2)~~ **(1)** is enrolled as a full-time student at an approved institution  
 33           of higher education in Indiana;

34           **(2) completes a Free Application for Federal Student Aid; and**

35           **(3) meets financial eligibility requirements based on the**  
 36           **student's financial aid application, regardless of the date on**  
 37           **which the application is filed.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill No. 434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 434 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 10, Nays 0

## COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 23 through 42.

Delete page 3.

Page 4, delete line 1.

Page 4, delete lines 29 through 42.

Page 5, delete line 1.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 434 as printed February 6, 2015.)

KENLEY, Chairperson

Committee Vote: Yeas 13, Nays 0.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 434, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 434 as printed February 13, 2015.)

BEHNING

Committee Vote: Yeas 10, Nays 0

